

73754-2

7/15/2013

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

OFFICE OF  
PREVENTION, PESTICIDES AND  
TOXIC SUBSTANCES

JUL 15 2013

Dr. James L. Kunstman  
PBI/Gordon Corporation  
P.O. Box 014090  
Kansas City, MO 64101

Subject: Label Notification per PR Notice 98-10  
Growell 2,4-D 2-Ethylhexyl Ester Technical  
EPA Reg. No. 73754-2  
Date Submitted: January 22, 2013

Dear Dr. Kunstman:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10, dated January 22, 2013, for the product 73754-2. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action requested falls within the scope of PRN 98-10. The label submitted with this application has been stamped Notification, and will be placed in the Agency file for this product. If you have any questions, please contact me at 703-305-1243 or [montague.kathryn@epa.gov](mailto:montague.kathryn@epa.gov).

Sincerely,

A handwritten signature in black ink that reads "Kathryn V. Montague".

Kathryn V. Montague  
Product Manager 23  
Registration Division (7505P)  
Office of Pesticide Programs



United States  
**Environmental Protection Agency**  
 Washington, DC 20460

Registration  
 Amendment  
 Other

OPP Identifier Number

**Application for Pesticide - Section I**

1. Company/Product Number <b>73754-2</b>	2. EPA Product Manager <b>Kathryn V. Montague</b>	3. Proposed Classification <input checked="" type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) <b>GroWell 2,4-D 2-Ethylhexyl Ester Technical</b>	PM# Product Manager—Team 23	
5. Name and Address of Applicant (Include ZIP Code) PBI/Gordon Corporation Post Office Box 014090 Kansas City, Missouri 64101 <input type="checkbox"/> Check if this is a new address	6. <b>Expedited Review.</b> In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

**Section - II**

Amendment - Explain below.  Final printed labels in response to Agency letter dated \_\_\_\_\_

Resubmission in response to Agency letter dated \_\_\_\_\_  "Me Too" Application.

Notification - Explain below.  Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

**Labeling notification according to Pesticide Registration Notice (PRN) 2007-4.**

Please refer to cover letter for details and certification statement.

e-mail to [jkunstman@pbigordon.com](mailto:jkunstman@pbigordon.com) FAX: 816-421-2731

**Section - III**

1. Material This Product Will Be Packaged In:

Child-Resistant Packaging <input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Type of Container <input checked="" type="checkbox"/> Metal <input checked="" type="checkbox"/> Plastic <input type="checkbox"/> Glass <input type="checkbox"/> Paper <input type="checkbox"/> Other (Specify) _____
* <b>Certification must be submitted</b>		If "Yes" Unit Packaging wgt. No. per container	If "Yes" Package wgt. No. per Container

3. Location of Net Contents Information  
 Label  Container

4. Size(s) Retail Container  
5, 15, 30, 55 and 275 gallons

5. Location of Label Directions  
 On Label  
 On Labeling accompanying product

6. Manner in Which Label is Affixed to Product  
 Lithograph  Other \_\_\_\_\_  
 Paper glued  
 Stenciled

**Section - IV**

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)

Name <b>James L. Kunstman, Ph.D.</b>	Title <b>U.S. Agent</b>	Telephone No. (Include Area Code) <b>816-460-5292</b>
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**Certification**  
 I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

2. Signature 	3. Title <b>U.S. Agent</b>	6. Date Application Received <b>(Stamped)</b>
4. Typed Name <b>James L. Kunstman, Ph.D.</b>	5. Date <b>January 21, 2013</b>	

January 21, 2013

Document Processing Desk (PRN)  
Office of Pesticide Programs (7504P)  
U.S. Environmental Protection Agency  
Room S-4900, One Potomac Yard  
2777 South Crystal Drive  
Arlington, VA 22202-4501  
Attn: Kathryn V. Montague, PM 23

Dear Ms. Montague:

**Subject: Labeling notification according to Pesticide Registration Notice (PRN) 2007-4 for GroWell 2,4-D 2-Ethylhexyl Ester Technical (EPA Reg. No. 73754-2).**

***I. Labeling notification per Pesticide Registration Notice (PRN) 2007-4:***

**April 14, 2009:** An Agency letter with comments prepared by Ms. Joanne I. Miller stated that this product was re-registered.

**January 21, 2013:** We ask to revise the disposal instructions and to adopt the exact language of Pesticide Registration Notice (PRN 2007-4), Labeling Revisions Required by the Final Rule "Pesticide Management and Disposal: Standards for Pesticide Containers and Containmentment."

Please refer to pages 2-3 of the draft labeling.

**Certification:** This notification is consistent with the guidance PR Notice 2007-4 and the requirements of EPA's regulations at 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156. No other changes have been made to the labeling or the Confidential Statement of Formula of this product. I understand that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to the EPA. I further understand that if this amended labeling is not consistent with the terms of 40 CFR 156.10, 156.140, 156.144, 156.146, and 156.156, this product may be in violation of FIFRA and I may be subject to enforcement action and penalties under Section 12 and 14 of FIFRA.

***II. Enclosures:***

1. Application for Pesticide Amendment (EPA Form 8570-1)
2. Certification with Respect to Label Integrity, and CD containing PDF copy of proposed label.
3. One (1) copy of the annotated version of the draft labeling and
4. One (1) copy of the draft labeling without notations.

If you have any questions, please call me at 816-460-6292 or contact me at [jkunstman@pbfgordon.com](mailto:jkunstman@pbfgordon.com).

Sincerely,



James L. Kunstman, Ph.D.  
U.S. Agent

# GROWELL 2,4-D 2-ETHYLHEXYL ESTER TECHNICAL

## EPA Reg. No. 73754-2

**NOTIFICATION**

**JUL 15 2013**

**FOR MANUFACTURING PURPOSES ONLY  
NOT FOR RESALE**

**ACTIVE INGREDIENT:**

2-ethylhexyl ester of 2,4-dichlorophenoxyacetic acid ..... 93.30%

**INERT INGREDIENTS:** ..... 6.70%

**TOTAL** ..... 100.00%

**EQUIVALENT TO:**

6.0 lb 2,4-dichlorophenoxyacetic acid per gallon or 62.12%  
Isomer Specific by AOAC Method 978.05.

**KEEP OUT OF REACH OF CHILDREN**

## CAUTION

See side panel for additional Precautionary Statements and First Aid.

Net Contents: 15, 30, 55, and 275 gallons  
EPA Est. No. 15440-GBR-1

**STOP! READ THE ENTIRE LABEL FIRST. OBSERVE ALL PRECAUTIONS AND FOLLOW DIRECTIONS CAREFULLY.**

## PRECAUTIONARY STATEMENTS

### **Hazards to Human and Domestic Animals**

**CAUTION:** Causes moderate eye irritation. Avoid contact with eyes or clothing. Wear protective eyewear. Harmful if swallowed. Harmful if absorbed through skin. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals

<b>First Aid</b>	
<b>If swallowed</b>	<ul style="list-style-type: none"> <li>• Call a poison control center or doctor immediately for treatment advice.</li> <li>• Have person sip a glass of water if able to swallow.</li> <li>• Do not induce vomiting unless told to do so by a poison control center or doctor.</li> <li>• Do not give anything by mouth to an unconscious person.</li> </ul>

GroWell Limited  
1217 West 12<sup>th</sup> Street  
Kansas City, Missouri 64101

<b>If on skin or on clothing:</b>	<ul style="list-style-type: none"> <li>• Take off contaminated clothing.</li> <li>• Rinse skin immediately with plenty of water for 15 - 20 minutes.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If in eyes:</b>	<ul style="list-style-type: none"> <li>• Hold eye open and rinse slowly and gently with water for 15-20 minutes.</li> <li>• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.</li> <li>• Call a poison control center or doctor for treatment advice.</li> </ul>
<b>If inhaled:</b>	<ul style="list-style-type: none"> <li>• Move person to fresh air.</li> <li>• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible.</li> <li>• Call a poison control center or doctor for further treatment advice.</li> </ul>
<p>Have the product container or label with you when calling a poison control center or doctor or going for treatment. You may also contact 1-877-800-5556 for emergency medical treatment advice.</p>	

**Environmental Hazards**

This chemical is toxic to fish and aquatic invertebrates. Do not discharge effluent containing this product into lakes, streams, ponds, estuaries, oceans, or other waters unless in accordance with the requirements of a National Pollution Discharge Elimination System (NPDES) permit and the permitting authority has been notified in writing prior to discharge. Do not discharge effluent containing this product to sewer systems without previously notifying the local sewage treatment plant authority. For guidance contact your State Water Board or Regional Office of the EPA.

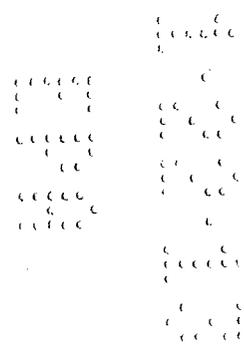
**DIRECTIONS FOR USE**

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

Formulators using this product are responsible for obtaining EPA registration of their formulated product.

**Only for Formulation into a Herbicide for the Following Uses**

1. **Agricultural:** (Corn, Sorghum, Wheat, Pasture, Rangeland, Small Grains, Grasses, and Forestry Site Preparation.) **Industrial Uses. Residential and Turf Uses:** (including, but not limited to golf courses, residential/domestic, commercial, industrial, ornamental and institutional sites.)
2. This product may be used to formulate products for specific use(s) not listed on the MP label if the formulator, user group, or grower has complied with U.S. EPA submission requirements regarding support of such use(s).
3. Uses for experimental purposes that are in compliance with U.S. EPA requirements.



**NONREFILLABLE CONTAINERS >5 GALLONS OR 50 POUNDS**  
[Note: Optional Text Depending on Container Type]

**STORAGE AND DISPOSAL**

Do not contaminate water, food or feed by storage or disposal.

**PESTICIDE STORAGE:** Store in original container.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law and may contaminate groundwater. If these wastes cannot be disposed of by use according to label instructions, contact your state Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

**CONTAINER DISPOSAL:** Nonrefillable container. Do not reuse or refill this container. Triple rinse (or equivalent). Then offer for recycling or reconditioning, or puncture and dispose of in a sanitary landfill, or by other procedures approved by state and local authorities.

**REFILLABLE CONTAINERS >5 GALLONS OR 50 POUNDS**  
[Note: Optional Text Depending on Container Type]

**STORAGE AND DISPOSAL**

Do not contaminate water, food or feed by storage or disposal.

**PESTICIDE STORAGE:** Store in original container.

**PESTICIDE DISPOSAL:** Pesticide wastes are toxic. Improper disposal of excess pesticide, spray mixture, or rinsate is a violation of Federal law and may contaminate groundwater. If these wastes cannot be disposed of by use according to label instructions, contact your state Pesticide or Environmental Control Agency or the Hazardous Waste representative at the nearest EPA Regional Office for guidance.

**CONTAINER DISPOSAL:** Refillable Container. Refill this container with pesticide only. Do not reuse this container for any other purpose. Cleaning the container before final disposal is the responsibility of the person disposing of the container. Cleaning before refilling is the responsibility of the refiller. To clean the container before final disposal, empty the remaining contents from this container into application equipment or a mix tank. Fill the container about 10 percent full with water. Agitate vigorously or recirculate water with the pump for 2 minutes. Pour or pump rinsate into application equipment or rinsate collection system. Repeat this rinsing procedure two more times.

**LIMITED WARRANTY AND DISCLAIMER**

**IMPORTANT:** Read this LIMITED WARRANTY AND DISCLAIMER before buying or using this product. By opening and using this product, buyer and all users agree to accept the terms of this LIMITED WARRANTY AND DISCLAIMER in their entirety and without exception. If the terms are not acceptable, return this product unopened immediately to the point of purchase, and the purchase price will be refunded in full.

It is impossible to eliminate all risks inherently associated with use of this product. Damage to the treated article, ineffectiveness, or other unintended consequences can result from use of the product under abnormal conditions such as weather, presence of other materials, or the manner or use of application, etc. Such factors and conditions are beyond the control of the manufacturer, and **BY PURCHASING AND USING THIS PRODUCT THE BUYER AND ALL USERS OF THIS PRODUCT AGREE TO ACCEPT ALL SUCH RISKS.** Buyer and all users further agree to assume all risks of loss or damage from the use of the product in any manner that is not explicitly set forth in or that is inconsistent with label instructions, warnings and cautions.

The manufacturer warrants only that this product conforms to the chemical description given on the label, and that the product is reasonably suited for the labeled use when applied according to the Directions for Use, subject to the inherent risks described below. **TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE MANUFACTURER NEITHER MAKES NOR INTENDS ANY OTHER EXPRESS OR IMPLIED WARRANTIES, INCLUDING ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, WHICH ARE HEREBY EXPRESSLY DISCLAIMED.**

**TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, THE EXCLUSIVE REMEDY OF BUYER AND ALL USERS OF THIS PRODUCT, AND THE EXCLUSIVE LIABILITY OF THE MANUFACTURER, FOR ANY AND ALL LOSSES, DAMAGES, OR INJURIES RESULTING FROM THE USE OF HANDLING OF THIS PRODUCT, WHETHER OR NOT BASED IN CONTRACT, NEGLIGENCE, STRICT LIABILITY IN TORT OR OTHERWISE, SHALL BE LIMITED, AT THE MANUFACTURER'S OPTION, TO REPLACEMENT OR THE REPAYMENT OF THE PURCHASE PRICE FOR THE QUANTITY OF PRODUCT WITH RESPECT TO WHICH DAMAGES ARE CLAIMED. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, IN NO CASE SHALL THE MANUFACTURER BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, OR SPECIAL DAMAGES RESULTING FROM THE USE OR HANDLING OF THE PRODUCT.** The Manufacturer must be promptly notified in writing of any claims, whether based in contract, tort, negligence, strict liability, or otherwise, to be eligible to receive either remedy stated above.

The terms of this LIMITED WARRANTY AND DISCLAIMER cannot be varied by any written or verbal statements or agreements at the point of sale or elsewhere. No employee or agent of the manufacturer or seller is authorized to vary or exceed the terms of this LIMITED WARRANTY AND DISCLAIMER in any manner.

## **APPENDIX**

Net Contents, Gallons	Net Contents, Liters	Pounds	Kilograms
5		48.4	22.0
15		145.2	66.0
	100		116.2
30		290.4	132.0
	200		232.4
55		532.4	242.6
	300		343.7
	1000		1162.3
275		2662.0	1210.0

Weights are based on the bulk density of 9.68 pounds per gallon.

## **DOCUMENT CONTROL INFORMATION**

1. Unique Label Identifier: 073754-00002.20130121.notif-proposed-clean.doc
2. Reason for Issue: Pesticide Registration Notice (PRN) 2007-4